

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION, CINCINNATI**

Dennis Allen, et al.	:	
Plaintiffs	:	Case No. C-1-01-159
v.	:	Judge Herman S. Weber
	:	Magistrate Judge Timothy S. Hogan
Leonard Kristal	:	
and	:	PLAINTIFFS COMBINED
John Crary	:	PROPOSED FINDINGS OF FACT AND
Defendants	:	CONCLUSIONS OF LAW
	:	IN SUPPORT OF SUMMARY
	:	JUDGMENT AGAINST DEFENDANTS
	:	JOHN L. CRARY AND LEONARD D.
	:	KRISTAL - ERRATA

Plaintiffs Dennis Allen, et al. (Plaintiffs) submit an errata to their Proposed Findings of Fact and Conclusions of Law, filed on November 10, 2003. Plaintiffs erroneously omitted a citation for Finding of Fact #33 on page 7. The correct Finding of Fact should read:

33. Crary had constructive knowledge that Kristal diverted deducted health plan contributions to general corporate purposes.

a. Kristal II, pp. 85-87.

Plaintiffs respectfully request the above citation be substituted in place of the erroneous omission.

Respectfully submitted,

/s/ David M. Cook

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served this 12th day of November, 2003, via U.S. regular mail, postage prepaid, upon the following:

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